No. 87-1279-AFX
Status: GRANTED

Title: Alexia Morrison, Independent Counsel, Appellant
v.
Theodore B. Olson, Edward C. Schmults and Carol E. Dinkins

Docketed:
February 1, 1988

Court: United States Court of Appeals for the District of Columbia Circuit

Counsel for appellant: Morrison,Alexia

Counsel for appellee: Solicitor General, Martin,Thomas S., Sullivan Jr.,Brendan V., Stein,Jacob A.

NOTE: Notice of Appeal filed 2/1/88 cited

Entry	Date	Note	Proceedings and Orders
61	Apr 20 1908		8etter from Solicitor received and distributed.
1	Feb 1 1988	G	Statement as to jurisdiction filed.
2	Feb 1 1988	N	Motion of appellant to expedite and to dispense temporarily with printing pleadings filed.
3	Feb 1 1988	N	Motion of Lawrence E. Walsh, Independent Counsel for leave to file a brief as amicus curiae filed.
4	Feb 8 1988		REDISTRIBUTED. February 19, 1988
10	Feb 8 1988		Application for full stay of mandate filed.
5	Feb 9 1988	X	Brief amicus curiae of United States filed.
11	Feb 9 1988		Response requested by Rehnquist, CJ., to application for full stay of mandate.
8	Feb 11 1988	X	Brief of appellee Theodore B. Olson in Response to Independent Counsel's Motion to Expedite filed.
9	Feb 11 1988		Motion of appellee Theodore B. Olson to affirm filed.
15	Feb 11 1988		Response of appellee Olson to application for full stay of mandate filed.
23	Feb 11 1988		Response of appellees Schmults and Dinkins to application for full stay of mandate filed.
6	Feb 12 1988	X	Brief of appellees Edward C. Schmults and Carol E. Dinkins in response to motion of appellant to establish expedited schedule for briefing and argument filed.
7	Feb 12 1988	X	Memorandum of appellees Edward C. Schmults and Carol E. Dinkins filed.
13	Feb 12 1988		Repl, of appellant to application for full stay of mandate filed.
14	Feb 16 1988		Memo in reply of appellee Olson to application for full stay of mandate filed.
24	Feb 17 1988		DISTRIBUTED. February 19, 1988. (Application for full stay of mandate).
18	Feb 18 1988	G	Motion of Whitney North Seymour, Jr., Independent Counsel for leave to file a brief as amicus curiae filed.
17	Feb 22 1988		PROBABLE JURISDICTION NOTED. The motion of Lawrence Walsh, Independent Counsel, for leave to file a brief as amicus curiae is granted. The motions to establish an expedited schedule for briefing and oral argument are granted. Appellant's brief shall be filed by 3 p.m. March 9, 1988. Appellees' briefs shall be filed by 3

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Entry	Date	Note	Proceedings and Orders
			p.m. April 8, 1988. Reply briefs, if any, shall be filed by 3 p.m. April 18, 1988. Oral argument is set for April 26, 1988 at 10 a.m. The motion to dispense temporarily with printing briefs is denied. The motions for additional time for oral argument are denied without prejudice. The application for full stay of mandate of the United States Court of Appeals for the District of Columbia Circuit presented to the Chief Justice and by him referred to the Court is granted pending the sending down of the judgment of this Court. Justice Kennedy took no part in the consideration or decision of these motions and orders.
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19	Feb 22 1988		Application of the SG for leave to file a brief as amicus curiae in excess of the page limitation granted by Rehnquist, C.J., on February 22, 1988. Brief not to exceed 50 pages.
20	Feb 22 1988		Application of United States Senate for leave to file a brief as amicus curiae in excess of the page limitation granted by Rehnquist, C.J., on February 24, 1988. Brief not to exceed 50 pages.
22	Feb 23 1988		Application for leave to file appellant's brief on the merits in excess of the page limitation, and order granting same by Rehnquist, C.J., on February 26, 1988. Brief not to exceed 60 pages.
21	Feb 29 1988		Motion of Whitney North Seymour, Jr., Independent Counsel for leave to file a brief as amicus curiae GRANTED. Justice Kennedy OUT.
25	Feb 29 1988		Application of Speaker and House Leadership Group for leave to file brief as amicus curiae in excess of the page limitation, and order granting same by Rehnquist, C.J., on March 3, 1988. Brief may not exceed 50 pages.
26	Mar 9 1988		Lodgings received. (Blue binders, 2 boxes).
27	Mar 9 1988		Brief amicus curiae of AFL-CIO filed.
28	Mar 9 1988		Brief amicus curiae of United States Senate filed.
29	Mar 9 1988	G	Motion of Burton D. Linne, et al. for leave to file a brief as amici curiae filed.
30	Mar 9 1988		Brief amicus curiae of American Bar Association filed.
31	Mar 9 1988		Brief amicus curiae of Common Cause filed.
32	Mar 9 1988		Brief amicus curiae of Speaker and Leadership Group of House of Representatives filed.
33	Mar 9 1988		Joint appendix filed.
34	Mar 9 1988		Brief of appellant Morrison, Independent Counsel filed.
35	Mar 9 1988		Brief amicus curiae of Whitney Seymour, JR. filed.
36	Mar 9 1988		Brief amicus curiae of Public Citizen filed.
37	Mar 9 1988	G	Motion of Lawrence E. Walsh, Independent Counsel for leave to file a brief as amicus curiae filed.
41	Mar 9 1988		Brief amicus curiae of Center for Constitutional Rights filed.
42	Mar 11 1988		SET FOR ARGUMENT, Tuesday, April 26, 1988. (1st case).
40	Mar 18 1988		Record filed.

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Entry	Date	Note	Proceedings and Orders
		*	Certified original record (Box) received.
43	Mar 18 1988	D	Motion of Lawrence E. Walsh, Independent Counsel for leave to participate in oral argument as amicus curiae, for divided argument and for additional time for oral argument filed.
38	Mar 21 1988		Motion of Burton D. Linne, et al. for leave to file a brief as amici curiae GRANTED. Justice Kennedy OUT.
39	Mar 21 1988		Motion of Lawrence E. Walsh, Independent Counsel for leave to file a brief as amicus curiae GRANTED. Justice Kennedy OUT.
46	Mar 22 1988		Application of appellee Schmults for leave to file brief on the merits in excess of the page limitation, and order granting same by Rehnquist, C.J., on March 24, 1988. Brief not to exceed 60 pages.
47	Mar 23 1988		Application of appellee Olson for leave to file brief on the merits in excess of page limitation, and order granting same by Rehnquist, C.J., on March 28, 1988. Brief not to exceed 60 pages.
44	Mar 24 1988	N	Motion of the parties for additional time for oral argument, for divided argument and for leave for amici curiae to participate in oral argument filed.
45	Mar 28 1988		Supplement to motion of Lawrence E. Walsh, Independent Counsel, to participate in oral argument as amici curiae filed.
48	Mar 30 1988	D	Motion of of Michael K. Deaver for leave to participate in oral argument as amicus curiae, for divided argument and for additional time for oral argument filed.
49	Mar 31 1988		CIRCULATED.
50	Apr 4 1988		Motion of Lawrence E. Walsh, Independent Counsel for leave to participate in oral argument as amicus curiae, for divided argument and for additional time for oral argument DENIED. Justice Kennedy OUT.
51	Apr 4 1988		Motion of of Michael K. Deaver for leave to participate in oral argument as amicus curiae, for divided argument and for additional time for oral argument DENIED. The joint motion for additional time for oral argument, for divided argument and for amici curiae to participate in oral argument is granted in part and denied in part. An additional thirty minutes is allotted for oral argument to be divided as follows: appellant - 30 minutes; the United States Senate, as amicus curiae - 15 minutes; one counsel for appellees - 30 minutes; and the Solicitor General, as amicus curiae - 15 minutes. Justice Kennedy OUT.
58	Apr 7 1988		Second application of the SG for leave to file a brief as amicus curiae in excess of the page limitation, and order denying same by Rehnquist, C.J., on April 7, 1988.
52	Apr 8 1988	X	Brief amicus curiae of United States filed.
53	Apr 8 1988	X	Brief amici curiae of Edward H. Levi, et al. filed.
54	Apr 8 1988	X	Brief amicus curiae of Michael K. Deaver filed.
55	Apr 8 1988	X	Brief of appellee Theodore B. Olson filed.

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Entry	Date	Note	Proceedings and Orders
56	Apr 8 1988	X	Brief of appellees Schmults and Dinkins filed.
57	Apr 8 1988		Lodging received. (10 copies).
63	Apr 13 1988		Application for leave to file reply brief in excess of page limitation (A-795), and order denying same by Rehnquist, C.J., on April 15, 1988.
59	Apr 18 1988	X	Reply brief of appellant Morrison, Independ. Counsel filed.
60	Apr 18 1988	D	Motion of Whitney North Seymour, Jr., Independent Counsel, for leave to file a reply brief as amicus curiae filed.
64	Apr 22 1988		Letter from U.S. House of Representatives Republican Leader received and distributed.
62	Apr 25 1988		Motion of Whitney North Seymour, Jr., Independent Counsel, for leave to file a reply brief as amicus curiae DENIED. Justice Kennedy OUT.
65	Apr 26 1988		ARGUED.